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Attorneys for Plaintiff Christian Gadbois

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In Re:

Christian Gadbois,

Debtor

Christian Gadbois,

Plaintiff

v.

Minter Field Airport District, a special district
formed under the California Airport District
Act; and Does 1-5, Inclusive

Defendants

Chapter 13

Case No.: 2:19-bk-10187-VZ

Adv. No.: 2:21-ap-01158-VZ

**DECLARATION OF MICHAEL
CHEKIAN REGARDING PRE-TRIAL
STIPULATION**

Pre-Trial Conference:

Date: May 26, 2022

Time: 11:00 a.m.

**Place: Zoom Government or Ctrm. 1368,
255 E. Temple Street, Los Angeles, CA
90012**

TO: HON. VINCENT ZURZOLO AND DEFENDANT:

Plaintiff Christian Gadbois ("Plaintiff") hereby submits the attached declaration of
Plaintiff's counsel Michael Chekian regarding the pre-trial stipulation relating to the above
referenced pre-trial conference.

Dated: May 20, 2022

/s/ Michael F. Chekian _____

Michael F. Chekian
Chekian Law Office
Attorneys for Plaintiff

DECLARATION OF MICHAEL CHEKIAN
REGARDING PRE-TRIAL STIPULATION

I, Michael Chekian, am an attorney duly licensed to practice law in the Central District of California. I do hereby declare under the penalty of perjury that the following is true and correct to the best of my personal knowledge and belief, and if called upon as a witness, I could and would personally testify under oath in a court of law to the truthfulness of each of the below facts.

1. I am the attorney for the debtor and plaintiff herein, Christian Gadbois ("Plaintiff") in the pending adversary proceeding ("Adversary") against Minter Field Airport District ("Defendant"), case number 2:21-ap-01158-VZ.

2. In this Adversary, the pre-trial Conference ("Pre-Trial Conference") is scheduled for May 26, 2022 at 11:00 a.m.

3. By the Court's amended scheduling order entered on November 24, 2021 as docket 18 ("Scheduling Order"), all discovery was to be completed by March 1, 2022 and the last day for pre-trial motions to be heard was April 1, 2022.

4. Defendant's counsel and I agreed to a late deposition of Plaintiff which occurred on March 29, 2022. In and around that date, Defendant's counsel Brett Stroud and I tentatively agreed to stipulate to a continuance of the litigation deadlines in this matter to allow Plaintiff to access his files being held in closed storage by Defendant, containing relevant files to prove up his alleged damages. However, I later determined it was too late to file this pre-trial motion per the Scheduling Order's April 1 motion hearing deadline.

1 5. Due to my late determination of the motion deadline, I was
2 also late in setting up the pre-trial conference and sending the
3 proposed pre-trial stipulation ("Pre-Trial Stipulation") to
4 Defendant's counsel as required by the Local Rules. I did send the
5 proposed Pre-Trial Stipulation plus Plaintiff's proposed exhibits to
6 Defendant's counsel this week and also spoke with Defendant's counsel
7 Brett Stroud about the Pre-Trial Stipulation on May 19, 2022. A true
8 and correct copy of Plaintiff's proposed Pre-Trial Stipulation is
9 attached hereto as Exhibit A.

10 6. Mr. Stroud told me yesterday that he would send his edits to
11 the Pre-Trial Stipulation by today. I expect we should be able to
12 file the Pre-Trial Stipulation by Monday, May 23, 2022.

13 7. I intend to file a motion to continue the May 26, 2022 Pre-
14 Trial Conference on Monday, May 23, 2022 to allow the Court ample time
15 to review the Pre-Trial Stipulation.

16 8. I sincerely apologize to the Court and to Defendant's counsel
17 for my lateness with respect to the Pre-Trial Conference deadlines.

18
19 I do hereby declare under the penalty of perjury and pursuant to
20 the laws of the United States of America that the foregoing is true
21 and correct and that this declaration is executed this 20TH day of May,
22 2022, at Los Angeles, California.

23
24 /s/ Michael Chekian_____
Michael Chekian
25
26
27
28

Michael F. Chekian, SBN 165026
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Email mike@cheklaw.com

Attorney for Plaintiff Christian Gadbois

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re CHRISTIAN F.C. GADBOIS,
Debtor

CHRISTIAN F.C. GADBOIS,
Plaintiff,

v.

MINTER FIELD AIRPORT DISTRICT, a
special district formed under the California
Airport District Act,
Defendant

Chapter 13
Bk. No. 2:19-bk-10187-VZ
Adv. No. 2:21-ap-01158-VZ

**PRE-TRIAL STIPULATION ON
COMPLAINT FOR VIOLATION OF
AUTOMATIC STAY; RECOVERY OF
PROPERTY OF ESTATE**

Pre-Trial Conference

DATE: May 26, 2022

11:00 a.m.

TIME: 11:00 a.m.
PLACE: Ctrm. 1368, 255 E. Temple Street
Roybal Federal Building
Los Angeles, CA 90012

TO: HON. JUDGE VICTOR ZURZOLO, INTERESTED PARTIES:

Christian C. Gadbois, debtor and plaintiff in this adversary proceeding ("Plaintiff") and
Minter Field Airport District, a special district formed under the California Airport District Act,
defendant in this adversary proceeding ("Defendant") SUBMIT THE FOLLOWING PRE-
TRIAL STIPULATION through their respective counsels pursuant to Local Bankruptcy Rule
7016-1(b)(2).

///

I. UNDERLYING ISSUES OF FACT COMMON TO ALL CLAIMS FOR RELIEF

A. Plaintiff filed a petition for relief under Chapter 13 on January 9, 2019 (“Bankruptcy”). The Bankruptcy is currently open and pending. Debtor’s confirmed plan provides that 100% of Gadbois’ allowed claims be paid in full.

Not Contested.

B. Plaintiff commenced this adversary proceeding by filing a complaint on July 21, 2021 (“Adversary Complaint”).

Not Contested

C. Defendant is an entity, a special district formed under the California Airport District Act.

Not Contested

D. After the Bankruptcy filing date, in or around April 1, 2020, Lease payments were delinquent (“Default”).

Not Contested

E. On December 7, 2020, Defendant filed an unlawful detainer lawsuit based on the Lease Default not against Plaintiff, but listing as the defendant SRT Helicopters, LLC (“SRT LLC”) in Kern County Superior Court as case number BCL-20-015015 (“Eviction Lawsuit”).

Not Contested

F. On February 9, 2021, Defendant obtained a default judgment in the Eviction Lawsuit against SRT LLC in amount of \$11,969.62, consisting of \$2,310.12 holdover damages, \$9,444.50 attorney fees and \$215 costs (“Eviction Judgment”).

Not Contested

G. On December 11, 2020, Defendant filed a second lawsuit, this time for breach of contract based on the Lease, again not against Plaintiff, but against SRT LLC in Kern County Superior Court as case number BCL-20-015272 (“Civil Lawsuit”).

Not Contested

H. Plaintiff is or was the sole manager of SRT LLC.

Not Contested

1 I. Defendant alleged at paragraph 12 in the Civil Lawsuit that based on the Lease, SRT
2 LLC failed to pay unpaid rent and costs and total compensatory damages of \$4,414.78 plus
3 consequential damages.

4 Not Contested

5 J. Defendant obtained a default judgment against SRT LLC in the Civil Lawsuit entered
6 on March 3, 2021 by default in amount of \$7,415.78 ("Civil Judgment"), comprised of \$4,414.78
7 in damages, \$2,956 attorney fees and \$45 costs.

8 Not Contested

9 K. After the entry of the aforementioned Eviction Judgment and Civil Judgment, Plaintiff
10 tendered and Defendant accepted a rent check for the Premises in amount of \$800 cashed by the
11 bank on April 19, 2021.

12 Not Contested

13 L. Defendant locked the doors and prevented Plaintiff's access to the Premises since
14 The Kern County Sheriff performed a lockout pursuant to a writ of possession issued in the
15 Eviction Lawsuit.

16 Not Contested

17 M1. Defendant currently holds Plaintiff's property formerly in the Premises in
18 Defendant's storage facility. After the Adversary Complaint was filed, some of Plaintiff's
19 property formerly in the Premises was returned to Plaintiff by Defendant's representative.

20 Not Contested

21 M2. Defendant was on notice of Plaintiff's Bankruptcy since at least January 12, 2021
22 when Plaintiff's lawyer wrote Defendant's lawyer.

23 Not Contested.

24
25
26 N. Plaintiff: The Bankruptcy is currently open and pending. Plaintiff's confirmed plan
27 provides that 100% of Plaintiff's allowed claims be paid in full.

28 Contested

1 Plaintiff:

2 Evidence:

3 Testimony of Plaintiff

4 Plaintiff's Exhibit 1: Bankruptcy docket of Plaintiff

5 Exhibit 2: Order confirming Plaintiff's Bankruptcy plan

6 Defendant:

7 Evidence:

8 Defendant's Exhibit --:

9 O. Plaintiff: Plaintiff is the lessee under a commercial month to month lease with
10 Defendant as lessor dated March 1, 2018 ("Lease") wherein in exchange for payment of \$600 per
11 month plus utilities, Plaintiff would have use of an office space at 5215 Minter Field Avenue in
12 the city of Shafer, Kern County California ("Premises") in order to operate a helicopter
13 company, a sole proprietorship company named SRT Helicopters operated under Gadbois'
14 personal tax identification number.

15 Contested

16 Plaintiff:

17 Evidence:

18 Testimony of Plaintiff

19 Testimony of Defendant's agent Jonathan Hudson

20 Exhibit 3: Lease

21 Exhibit 4: Defendant's notice to Plaintiff terminating Lease

22 Exhibit 5: Plaintiff's 2017 tax returns excerpt

23 Exhibit 6: Plaintiff's 2018 tax returns excerpt

24 Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement, Kern County

25 Defendant:

26 Evidence:

27 P. Plaintiff: The Eviction Lawsuit by Defendant against SRT LLC was an attempt to
28 unlawfully evict Plaintiff from the Premises during the pendency of his Bankruptcy.

Contested

Plaintiff:

Evidence:

Testimony of Plaintiff

Testimony of Defendant by Jonathan Hudson

Exhibit 1: Bankruptcy docket

Exhibit 3: Lease

Exhibit 4: Eviction Notice

Exhibit 8: Eviction summons and complaint

Exhibit 9: Eviction Judgment

Exhibit 10: Eviction writ of possession

Exhibit 11: Bankruptcy petition

Exhibit 14: Bankruptcy notice to Defendant's lawyers and their response

Defendant:

Evidence:

Q. Plaintiff: The Civil Lawsuit by Defendant against SRT LLC was an attempt to collect Plaintiff's pre-petition debt or to exercise possession and/or control of property of Plaintiff's bankruptcy estate during the pendency of his Bankruptcy.

Contested

Plaintiff:

Evidence:

Testimony of Plaintiff

Testimony of Defendant's most knowledgeable witness Jonathan Hudson

Exhibit 1: Bankruptcy docket

Exhibit 3: Lease

Exhibit 4: Defendant's notice terminating Lease

Exhibit 5: 2017 tax return

Exhibit 6: 2018 tax return

Exhibit 11 Bankruptcy petition

Exhibit 12: Civil Judgment

Exhibit 13 Civil Judgment docket

Exhibit 14: Bankruptcy notice to Defendant's lawyers

Exhibit 19: Amended Bankruptcy schedules

Exhibit 20: Bankruptcy schedules and statement of affairs

Defendant:

Evidence:

II. CLAIMS FOR RELIEF

A. First Claim: Defendant violated the automatic stay of Plaintiff's Bankruptcy (362(a))

1. ELEMENTS OF THE CLAIM

a. A bankruptcy stay under 11 USC Section 362(a) existed since the filing of Plaintiff's Bankruptcy on January 9, 2019 until present.

Not contested

b. The Lease was a pre-petition debt incurred by Plaintiff and Defendant was a creditor of Plaintiff. The Lease Premises contained property of Plaintiff's Bankruptcy estate.

Contested

Plaintiff:

Evidence:

Testimony of Plaintiff

Testimony of Defendant's agent Jonathan Hudson

Exhibit 1: Bankruptcy docket

Exhibit 3: Lease

Exhibit 4: Notice terminating Lease

Exhibit 5: Plaintiff's 2017 tax returns

Exhibit 6: Plaintiff's 2018 tax returns

Exhibit 19: Amended Bankruptcy Schedules

Exhibit 20: Bankruptcy schedules and statement of affairs

Defendant:

Evidence:

c. Defendant knowingly and repeatedly violated Plaintiff's Bankruptcy stay in its efforts to collect the Lease debt.

Contested

Plaintiff: Defendant actively pursued 2 lawsuits regarding the Lease Default, locking him out of the Premises even after receiving notice of the Bankruptcy. Defendant continues to hold property of the Bankruptcy estate in its closed storage and refuses to give possession of all of Plaintiff's property to Plaintiff.

Evidence:

Testimony of Plaintiff

Testimony of Defendant's agent Jonathan Hudson

Exhibit 1: Bankruptcy docket

Exhibit 3: Lease

Exhibit 4: Defendant's notice terminating Lease

Exhibit 8: Eviction summons and complaint

Exhibit 9: Eviction judgment

Exhibit 10: Eviction writ of possession document

Exhibit 12: Civil Judgment

Exhibit 13: Civil Judgment docket

Exhibit 14: Bankruptcy notice to Defendant and response

Exhibit 17: Defendant's amended answer to adversary complaint

Exhibit 22: Declaration regarding Civil Judgment

Defendant:

Evidence:

d. Defendant coerced and harassed Plaintiff in its efforts to collect the Lease debt.

Contested

Plaintiff: After receiving notice of the Bankruptcy, Defendant refused to vacate its 2 judgments for Eviction and for the Civil Lawsuit money judgment against SRT LLC and refused to give full access to Plaintiff's business property.

Evidence:

Testimony of Plaintiff

Testimony of Defendant's witness Jonathan Hudson

Exhibit 1: Bankruptcy docket

Exhibit 3: Lease

Exhibit 4: Defendant's notice terminating Lease

Exhibit 8: Eviction summons and complaint

Exhibit 9: Eviction judgment

Exhibit 10: Eviction writ of possession document

Exhibit 12: Civil Judgment

Exhibit 13: Civil Judgment docket

Exhibit 14: Bankruptcy notice to Defendant and response

Exhibit 17: Defendant's amended answer to adversary complaint

Exhibit 22: Declaration regarding Civil Judgment

Defendant:

Evidence:

B. Second Claim: Plaintiff can recover property of the estate against Defendants (1306(a)(1), 541(a)(2))

1. ELEMENTS OF THE CLAIM

a. The Premises contained Plaintiff's pre-petition property of his Bankruptcy estate, controlled by and in possession of Defendant.

Contested

Plaintiff: Defendant refused and continues to refuse to return all of Plaintiff's property which it is holding in closed storage.

Testimony of Plaintiff

Testimony of Defendant's agent, Jonathan Hudson

Evidence:

Exhibit 5: Plaintiff's 2017 tax returns

Exhibit 6: Plaintiff's 2018 tax returns

Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement

Exhibit 9: Eviction Judgment

Exhibit 10: Eviction writ of possession document

Exhibit 14: Letter to Defendant's lawyers and their response

Exhibit 17: Defendant's amended answer to Plaintiff's adversary complaint

Exhibit 19: Amended Bankruptcy schedules

Exhibit 20: Original bankruptcy schedules and statement of affairs

Defendant:

Testimony of:

Evidence:

III. REMEDIES

A. Money Damages

1. By reason of Defendant's actions, Plaintiff has been damaged in the sum to be determined for reasonable attorney fees and costs he incurred pursuant to Bankruptcy Code Section 362(k).

Contested

Plaintiff: Defendant violated the bankruptcy stay after being notified of its existence. Defendant chose to sue Plaintiff two times under his SRT LLC name in a thinly veiled effort to subvert the Bankruptcy stay.

Evidence

Testimony of Plaintiff

Testimony of Defendant's most knowledgeable witness Jonathan Hudson

Exhibit 3: Lease

Exhibit 4: Defendant's notice to Plaintiff terminating Lease

Exhibit 5: Plaintiff's 2017 tax returns excerpt-just the federal return

Exhibit 6: Plaintiff's 2018 tax returns excerpt-just the federal return

Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement, Kern County

Exhibit 8: Eviction summons and complaint, Case. #BCL-20015015

Exhibit 9: Eviction Judgment

Exhibit 10: Eviction writ of possession

Exhibit 11: Bankruptcy petition-just the petition only, about 8 pages

Exhibit 12: Civil Judgment, Case #BCL-20-015272

Exhibit 13 Civil Judgment docket

Exhibit 14: Bankruptcy notice to Defendant's lawyers and their response

Exhibit 19: Amended Bankruptcy schedules

Exhibit 20: Original bankruptcy schedules and statement of affairs

Defendant:

Evidence:

2. By reason of Defendant's actions, Plaintiff has been damaged in an undetermined amount of loss of business opportunities because he lost access to his files and business property in the Premises from which he was locked out in the Eviction Lawsuit.

Contested

Plaintiff: Defendant executed the Lease of the Premises pre-petition with Defendant as lessor, fell behind on his month to month rent post-petition, and despite being giving notice of

1 the Bankruptcy, Defendant continued with its efforts to sue the non-party SRT LLC, obtained a
2 lockout order, locked Plaintiff out of the Premises, moved all his business equipment, files and
3 inventory to a closed storage, only allowing some limited access until very late in this litigation.

4 Evidence:

5 Testimony of Plaintiff

6 Testimony of Defendant's most knowledgeable witness Jonathan Hudson

7 Exhibit 8: Eviction summons and complaint

8 Exhibit 9: Eviction Judgment

9 Exhibit 10: Eviction writ of possession

10 Exhibit 11: Bankruptcy petition

11 Exhibit 12: Civil Judgment, Case #BCL-20-015272

12 Exhibit 13 Civil Judgment docket

13 Exhibit 14: Bankruptcy notice to Defendant's lawyers/ response

14
15 Defendant:

16 Evidence:

17 Testimony of

- 18
19 3. Defendant acted with callous disregard by suing SRT LLC twice, by locking Plaintiff
20 out of his Premises, by denying him access to his business inventory and implements,
21 justifying an award of punitive damages under Bankruptcy Code Section 362(k).

22 Contested

23 Plaintiff: Defendant executed the Lease of the Premises pre-petition with
24 Defendant as lessor, fell behind on his month to month rent post-petition, and
25 despite being giving notice of the Bankruptcy, Defendant continued with its
26 efforts to sue the non-party SRT LLC, obtained a lockout order, locked Plaintiff
27 out of the Premises, moved all his business equipment, files and inventory to a
28 closed storage, only allowing some limited access until very late in this litigation.

Evidence

Testimony of Plaintiff

Testimony of Defendant's agent Jonathan Hudson

Exhibit 8: Eviction summons and complaint

Exhibit 9: Eviction Judgment

Exhibit 10: Eviction writ of possession

Exhibit 11: Bankruptcy petition

Exhibit 12: Civil Judgment, Case #BCL-20-015272

Exhibit 13 Civil Judgment docket

Exhibit 14: Bankruptcy notice to Defendant's lawyers/ response

Exhibit 22: Defendant declaration for Civil Judgment

Exhibit 23: Defendant 2020 revenue

Exhibit 24: Defendant's insurance information 2020-2022

Defendant:

Testimony of

Evidence

IV. AFFIRMATIVE DEFENSES

A. FIRST AFFIRMATIVE DEFENSE:

1. Elements of the Affirmative Defense:

B. SECOND AFFIRMATIVE DEFENSE:

1..Elements of the Affirmative Defense:

V. EXHIBITS TO BE OFFERED BY EACH PARTY AND OBJECTIONS TO EXHIBITS

A. PLAINTIFF'S EXHIBITS: Plaintiff's exhibits are attached to this order as Appendix

1. Defendant stipulates to the admission and authenticity of the exhibits listed in Appendix 1.

B. DEFENDANT'S EXHIBITS: Defendant's exhibits are listed in and attached to Appendix 2 of this order. Defendant stipulates to the admission and authenticity of the exhibits listed in Appendix 2 [and contests the admissibility of the exhibits listed in the concurrently filed "Motion to Exclude Evidence."] *Include the language in brackets ONLY if there are objections to the admission of exhibits.*

If there is a dispute as to the authenticity or admissibility of either party's exhibits, the objecting party shall file and serve concurrently with this pre-trial stipulation any motion to exclude evidence with a supporting memorandum of points and authorities. Any response to the motion shall be filed and served two court days prior to the pre-trial conference. All objections to the admission of exhibits shall be resolved at the pre-trial conference. The failure to so object to the admission of exhibits listed on Appendices 1 and 2 may be deemed a waiver of any objection.

VI. WITNESSES TO BE OFFERED BY EACH PARTY

A. Plaintiff:

A list of the only witnesses Plaintiff shall call to testify at trial, a summary of their intended testimony, and an estimate of the length of direct and cross-examination is attached to this order as Appendix 3.

B. Defendant:

A list of the only witnesses Defendant shall call to testify at trial, a summary of their intended testimony, and an estimate of the length of direct and cross-examination is attached to this order as Appendix 4.

VII. REBUTTAL TESTIMONY

Plaintiff, who has the burden of establishing each element of its claim(s) for relief, will be the first to introduce evidence to prove the facts necessary to enable Plaintiff to recover. When Plaintiff rests, Defendant may then present evidence to contravene any of Plaintiff's claims or in support of any affirmative defenses which the Defendant has included in this pre-trial stipulation. After the close of Defendant's case, Plaintiff may present rebuttal testimony only to counter evidence previously submitted by Defendant on issues not raised in Plaintiff's original presentation of its case.

STIPULATION

The foregoing admissions have been made by the parties, and the parties have specified the foregoing issues of fact and law remaining to be litigated. Therefore, this stipulation shall supersede the pleadings and govern the course of trial in this adversary proceeding, unless modified to prevent manifest injustice.

IT IS SO STIPULATED.

Signature of Plaintiff or Attorney for Plaintiff:

05/ /2022

Michael Chekian, Esq.

Date

Type Name

Signature

IT IS SO STIPULATED.

Signature of Defendant or Attorney for Defendant:

05/ /2022

Brett Stroud, Esq.

Date

Type Name

Signature

APPENDIX 1

Plaintiff OFFERS:

Exhibit 1: Bankruptcy Docket

Exhibit 2 Order Confirming Bankruptcy Plan

Exhibit 3: Lease

Exhibit 4: Defendant's notice terminating Lease

Exhibit 5: Plaintiff's 2017 tax returns excerpt-just the federal return

Exhibit 6: Plaintiff's 2018 tax returns excerpt-just the federal return

Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement, Kern County

Exhibit 8: Eviction summons and complaint, Kern Case. #BCL-20015015

Exhibit 9: Eviction Judgment

Exhibit 10: Eviction -writ of possession doc

Exhibit 11: Bankruptcy petition

Exhibit 12: Civil Judgment, Kern Case BCL-20-015272

Exhibit 13 Civil Judgment docket

Exhibit 14: Bankruptcy notice to Defendant's lawyers and their response

Exhibit 15: Adversary proceeding docket

Exhibit 16: Plaintiff's adversary complaint

Exhibit 17: Defendant's amended answer to adversary complaint

Exhibit 18: Plaintiff's \$800 check to Defendant

Exhibit 19: Amended Bankruptcy schedules

Exhibit 20: Original bankruptcy schedules and statement of affairs

Exhibit 21: Eviction docket-not available

Exhibit 22: Dec. regarding Civil Judgment

Exhibit 23: Cal. State Controller 2020 Defendant Revenue

Exhibit 24: Defendant's insurance information 2020-2022

Defendant stipulates to Exhibits – to -- , but objects to Exhibits – to --

APPENDIX 2

DEFENDANT OFFERS:

Exhibit A:

Plaintiff stipulates to Defendant's Exhibits--- thorough ---, but objects to
Defendant's Exhibits --- Exhibit D. (*See below Model for motion to exclude
evidence.*)

APPENDIX 3

PLAINTIFF'S WITNESSES

1. Christian F.C. Gadbois - Will testify that:

- A. Filing of the Bankruptcy.
- B. Circumstances regarding negotiation and execution of the Lease.
- C. Lock out from the Premises.
- D. Efforts to gain entry to the Premises and obtain his property.
- E. Effects of the Civil Lawsuit and Eviction.
- F. Formation and operation of SRT
- G. Lost business opportunities due to lock out from the Premises.
- H. Description and estimation of damages as a result of Defendant's actions.

Estimated Direct: 90 minutes

Estimated Cross-examination: __ minutes

2. Person most knowledgeable of Defendant agent Jonathan Hudson -Will testify that:

- A. Relationship to Defendant.
- B. Knowledge of Plaintiff, his business, Lease negotiations and execution.
- C. Defendant's due diligence prior to Lease execution.
- D. Lease default.
- E. Knowledge of Plaintiff's Bankruptcy.
- F. Facts and circumstances regarding Eviction Lawsuit and Civil Judgment
- G. Actions regarding lockout and decision making process preventing Plaintiff's access to Premises and his property.

Estimated Direct: 90 minutes

Estimated Cross-examination: __ minutes

APPENDIX 4

DEFENDANT'S WITNESSES

1. ----- - Will testify:

A. That

Estimated Direct: ____ minutes

Estimated Cross-examination: ____ minutes

2. ---- - Will testify:

A.

Estimated Direct: -- minutes

Estimated Cross-examination: -- minutes

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document described as **PRE-TRIAL STIPULATION** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Order(s) and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On Fill in Date Document is Filed, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) stated below:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):

On Fill in Date Document is Filed, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on Fill in Date Document is Filed, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date

Type Name

Signature

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
445 South Figueroa Street, 31st Floor, Los Angeles, CA 90071

A true and correct copy of the foregoing document entitled (*specify*): DECLARATION OF MICHAEL CHEKIAN REGARDING PRE-TRIAL STIPULATION will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 05/20/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Nancy K Curry(TR): trustee13la@aol.com
Christian F.C. Gadbois c/o Michael F Chekian: mike@cheklaw.com
United States Trustee (LA): ustpregion16.la.ecf@usdoj.gov
Minter Field Airport District c/o D. Max Gardner: dmgardner@dmxlaw.com
Minter Field Airport District c/o Brett Stroud: bstroud@youngwooldridge.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

05/20/2022
Date

Michael Chekian
Printed Name

/s/ Michael Chekian
Signature